

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

ROBERT MILLER and)
RACHEL MILLER, individually and) Cause No. 1:07-cv-0772-LJM-WTL
b/n/f of J.R.M. and L.S.M., minors,)
GREGG THEOBALD and) **DEFENDANT'S MOTION FOR**
SHAY THEOBALD, individually and) **ENLARGEMENT OF TIME**
b/n/f of N.P.T., a minor and)
CHAD J. SWEENEY, on Behalf of)
Themselves and All Others)
Similarly Situated,)
)
Plaintiffs,)
)
v.)
)
RC2 CORPORATION, RACING)
CHAMPIONS ERTL CORPORATION,)
and LEARNING CURVE BRANDS, INC.,)
formally doing business as)
THE ERTL COMPANY, INC., RACING)
CHAMPIONS ERTL, INC., RC ERTL,)
INC. and RC2 BRANDS, INC.)
)
Defendants.)

AGREED MOTION FOR ENLARGEMENT OF TIME

Defendants, RC2 Corporation, Racing Champions ERTL Corporation, and Learning Curve Brands, Inc., formerly doing business as The ERTL Company, Inc., Racing Champions ERTL, Inc., RC ERTL, Inc. and RC2 Brands, Inc. (collectively the "Defendants"), by counsel, hereby file their Agreed Motion for an enlargement of time in which to file their Answer to Plaintiffs' Complaint:

1. The Defendants' Answer to Plaintiffs' Amended Complaint is currently due on or before August 17, 2007, which time has not yet expired.

2. Defendants' Answer to Plaintiffs' Amended Complaint was originally due on or before July 11, 2007; however, before that deadline passed, Defendants obtained a thirty day enlargement of time from the Court. No other enlargements of time have been received.

3. Due to the length and complexity of Plaintiffs' Amended Complaint and the time it takes to gather the information necessary to properly answer that Complaint, Defendants find that they need a second enlargement of time in which to prepare their Answer to Plaintiffs' Amended Complaint.

4. Defendants' counsel has contacted Jamie Kendall, Plaintiffs' counsel, who has agreed to a second thirty (30) day enlargement of time.

5. This enlargement is being made in good faith and not for purposes of delay.

WHEREFORE, Defendants, by counsel, respectfully request that the Court grant it up to and including September 16, 2007 in which to file their Answer to Plaintiffs' Amended Complaint, and for all other appropriate relief.

Respectfully submitted,

ICE MILLER LLP

s/Judy S. Okenfuss

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was filed electronically on the 15th day of August, 2007. Notice of the filing will be sent to the following parties by operation of the Court's electronic filing system. The following parties may access this filing through the Court's system:

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